

AO 440 (Rev. 12/09) Summons in a Civil Action

UNITED STATES DISTRICT COURT

for the

Eastern District of Texas, Tyler

FILED CLERK
U.S. DISTRICT COURT
2012 FEB -3 AM 10:22
TEXAS EASTERN

MERCK & CIE, SOUTH ALABAMA MEDICAL
SCIENCE FOUNDATION and PAMLAB L.L.C

Plaintiff

v.

MACOVEN PHARMACEUTICALS, GNOSIS S.P.A.
GNOSIS USA INC. and GNOSIS BIORESEARCH S.

Defendant

BY _____

Civil Action No. 6:12 cv0027

SUMMONS IN A CIVIL ACTION

To: *(Defendant's name and address)* Michael P. Petteruti as officer for
GNOSIS USA Inc
169 N. Main St.
Doylestown, PA 18901

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are: Dwayne C. Norton, Alston & Bird LLP, 2828 N. Harwood St. Ste, 1800, Dallas, Texas 75201, 214-922-3437

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

Date: 1/20/12



CLERK OF COURT

David Malen

Signature of Clerk or Deputy Clerk



UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TEXAS
TYLER DIVISION

-----X
MERCK & CIE, et al.,

Plaintiffs,

Civil Action No. 6:12 cv0027

v.

AFFIDAVIT OF SERVICE

MACOVEN PHARMACEUTICALS, et al.,

Defendants.
-----X

STATE OF PENNSYLVANIA)

S.S.:

COUNTY OF PHILADELPHIA)

LISA THOMAS, being duly sworn, deposes and says that she is over the age of eighteen years, is an agent of the attorney service, DLS, INC., and is not a party to this action.

That on the 24th day of January, 2012, at approximately 4:00 PM, deponent served a true copy of the **SUMMONS IN A CIVIL ACTION, JURY DEMAND COMPLAINT AND CIVIL COVER SHEET** upon GNOSIS USA INC., at 169 N Main Street, Doylestown, PA by personally delivering and leaving the same with JANICE SUESSENGUTH who informed deponent that she holds the position of Office Manager with that company and is authorized by appointment to receive service at that address.

Janice Suessenguth is a white female, approximately 50 years of age, stands approximately 5 feet 9 inches tall, and weighs approximately 170 pounds with brown hair and wearing glasses.

A handwritten signature in cursive script that reads 'Lisa Thomas'.

LISA THOMAS

Sworn to before me this
27 day of January, 2012

A handwritten signature in cursive script, likely belonging to Heather Wames.
NOTARY PUBLIC

D.L.S., Inc.
401 Broadway
Ste. 510
New York, NY 10013
212-925-1220
www.dlsnational.com

